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NEW DELHI, SATURDAY, SEPTEMBER 9, 1967 (BHADRA 18, 1889)

इत भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग III—खण्ड ३

PART III—SECTION 3

लघु प्रशासनों से सम्बन्धित अधिसूचनाएं

Notifications relating to Minor Administrations

GOVERNMENT OF PONDICHERY

(Chief Secretariate)

(Public Works)

Pondicherry, the 24th August 1967

No. 19129/Dev/EL/63—The resignation tendered by Shri A. D. Moraes, Director, Electricity Department, Pondicherry has been accepted with effect from the afternoon of 31st July 1967.

(By order of the Lieut. Governor)

R. LAKSHMIKANTHAN

Under Secretary to Government

UNION TERRITORY OF DADRA & NAGAR HAVELI

Silvassa, the 11th September 1967

No. ADM/LAW/M.V. Act—In exercise of the powers conferred by Section 21 of the Motor Vehicles Act, 1939 as extended to the Union Territory of Dadra and Nagar Haveli and all other powers enabling him in this behalf, the Administrator, Dadra and Nagar Haveli hereby makes the following rules further to amend the Dadra and Nagar Haveli Motor Vehicles Rules, 1966, namely :—

1. These rules may be called the Dadra and Nagar Haveli Motor Vehicles (Amendment) Rules, 1967.

2. In Chapter II of the Dadra and Nagar Haveli Motor Vehicles Rules, 1966, after Rule 2.3, the following new Rule shall be inserted :—

2.3A. *Schools of motoring.*—(1) No person shall engage in the business of giving instruction in the driving of motor vehicles nor shall any person advertise or otherwise publicly undertake to constitute a School of motoring for the purpose of giving

such instructions without a valid licence issued by the Licensing Authority.

(2) Any person desiring to obtain a licence for enabling him to engage in the business referred to in sub-rule (1) shall make an application to the licensing authority, i.e. to the Chief of Police, Dadra and Nagar Haveli, Silvassa.

(3) The licensing authority may, on receipt of an application under sub-rule (2) grant or renew a licence in form M.S. to these rules to the applicant for engaging in the business of giving instruction in the driving of motor vehicles or for advertising or otherwise publicly undertaking to give such instructions as may be specified in the application and subject to compliance with such conditions, if any, may be specified in the licence and constitute the applicant a school of motoring or may refuse to grant a licence. Where a licence is refused, the licensing authority shall furnish the applicant an order in writing setting forth the reasons of such refusal.

(4) A licence granted under sub-rule (3) shall be valid for a period of three years and may be likewise renewed from time to time.

(5) The licensing authority shall in exercising its powers in granting or renewing or refusing a licence under this rule have regard to the following factors, that is to say, that—

- (i) the applicant and staff are of good moral character and qualified to give instruction;
- (ii) the premises where the school is proposed to be conducted is either owned by the applicant or hired in his name and consist of at least one room commodious enough to accommodate the students under training and sufficient to provide for amenities such as water-taps and lavatories;

(iii) the financial resources of the proposed school are sufficient to provide for its continued maintenance;

(iv) the applicant maintains at least two motor-cycles, two light motor vehicles, one medium motor vehicle and one heavy motor vehicle of each of these categories of motor vehicles for which he desires a licence;

Provided that where a licence is desired only for medium motor vehicle or heavy motor vehicle or both, the applicant maintains in addition at least one light motor vehicle;

Provided further that the vehicles required to be maintained are all registered in the name of applicant, are available exclusively for training purposes, and except for motor cycles, are fitted with dual control.

(v) the applicant maintains the following apparatus and equipment, namely :

- (a) Black-board;
- (b) Road plan board with necessary toy signals and cars;
- (c) Traffic sign chart;
- (d) Road signals chart;
- (e) Service chart-detail view of all components of motor vehicles;
- (f) Engine assembly, rear axle assembly, gear-box assembly of one of the well-known makes, such as Chevrolet or Ford V-8, Dodge, Fargo, except where the applicant desires to give instructions in riding of motor cycles only. } Sectionalized so as to reveal the working parts;
- (g) Chassis assembly (of one of the well-known makes, such as Ford, Chevrolet, Dodge, Austin) complete with steering mechanism, suspension, axles and brake drum shoes, except where the applicant desires to give instructions in riding of motor cycles only;
- (h) Puncture repair kit with tyre lever, wheel brace, jack, tyre-pump and tyre pressure gauge;
- (i) Spanners (a set each of fixed spanners, box spanners, pliers, screw-drivers, screw spanners and a hammer);
- (j) Driving instructions manual;
- (k) The Indian Highway Safety Code;
- (l) Desks for students and work benches;
- (m) Complete electrical equipment on a bench to demonstrate the working of lights, self-starter dynamo cutout, battery and switches;

(vi) the applicant or any member of the paid staff employed by him for giving instructions possesses the following qualifications namely :—

- (a) at least 5 years' driving experience in addition to a certificate in motor mechanics course or any other equivalent

qualification from an institution recognised by the State Governments of Gujarat or Maharashtra;

(b) a thorough knowledge of traffic signs specified in the Ninth Schedule, Parts A and B, and of the driving regulations specified in the Tenth Schedule, of the Act, so as to be able to impart instructions therein to the satisfaction of the licensing authority;

(c) ability to demonstrate and explain the functions of different component parts of the vehicles in his possession, to the satisfaction of the licensing authority;

(d) adequate knowledge of either English or Hindi or Gujarati and Marathi so as to be able to impart all the instructions in the said language;

(e) an Adult First Aid certificate issued by the St. John Ambulance Association (India);

(vii) the applicant maintains fully equipped first-aid sets for use in emergencies at the premises of the training school and in each of the vehicles used for training;

(viii) the need of a school of motoring in the particular locality.

(6) The applicant shall maintain a record with photographs of the students attending the school from time to time, the duration of their instructions and the date on which they passed the test in driving specified in the Act.

(7) The licensee shall submit to the licensing authority such information and such returns as may be called for by it.

(8) The licensee shall—

(a) not alter the place of business of the school of motoring mentioned in the licence without the prior approval of the licensing authority obtained in writing;

(b) keep the premises of the school at all reasonable times open for inspection by any person deputed by the licensing authority.

(9) It shall be lawful for a licensing authority by an order in writing to approve the nature and duration of courses of instruction and the number of pupils to be instructed at any one time.

(10) The fees to be charged by a licensee shall be at such rates as may be fixed by the licensing authority and the fees so fixed shall not be varied without the prior approval of such authority. Special fees may, subject to the approval of the licensing authority, be charged for special courses.

(11) The licensing authority may by order in writing suspend or cancel a licence granted under sub-rule (3)—if a licensee—

(a) fails to maintain the equipment, vehicles and other matters referred to in sub-rule (5) in accordance with the standard envisaged by that sub-rule, or fails to comply with the provisions of that sub-rule or any other provisions of this rule,

(b) fails to maintain the vehicles of the school in accordance with the provisions of these rules, or

- (c) does not impart proper instructions as indicated by the results of driving tests or otherwise, or

- (d) for any other reason considered sufficient.

Provided that no such order shall be made unless—

- (a) the reasons for suspension or cancellation of a licence are recorded in the order and the copy of the order is furnished to the licensee, and
- (b) the licensee has been given an opportunity of showing cause against the order which the licensing authority proposes to make.

(12) Where the licence is cancelled or suspended under sub-rule (11), Form M.S. to these rules shall be surrendered to the licensing authority by the holder thereof.

FORM M. S.

(See rule 2(3A))

Form of licence for the establishment of a Motor Driving School

Licence is hereby granted for the establishment of a School for imparting instructions to Motor drivers in the following class of motor vehicles :—

- * (a) Heavy Motor Vehicles,
- * (b) Medium Motor Vehicles,
- * (c) Light Motor Vehicles,
- * (d) Motor Cycles,

By (1)

at (2)

the school being known as the subject to the provisions of the Motor Vehicles Act, 1939 and the Dadra and Nagar Haveli Motor Vehicles Rules, 1967.

This licence is valid up to day of 19 ..

Licensing Authority

Dated 19 ..

This licence is hereby renewed up to day of 19 ..

Licensing Authority

Note -- The Licence is subject to the provisions of rule 2.3A of the Dadra and Nagar Haveli Motor Vehicles Rules, 1967. These provisions require the licensee, among other things :—

- (a) to obtain prior approval of any change of address of the school;
- (b) to allow the school to be inspected, at any reasonable time, by a duly authorised person;
- (c) if so required, to obtain the sanction of the licensing authority both to the number of pupils that may be admitted at any one time and to the syllabus;
- (d) to maintain an adequate number of vehicles fitted with dual control and other necessary apparatus and equipment; and
- (e) to maintain a record, with photographs, of the students attending, the duration of their instruction, and the dates on which they passed the driving test.

The licence is liable to be rescinded at any time if the character of the proprietor or staff, the financial condition of the undertaking, or the conduct of the school is unsatisfactory.

*Strike out whichever is inapplicable

- (1) Here enter full name of person, persons, Company association, managing the school. Address of premises of school.

NAKUL SEN,
Administrator,
Dadra and Nagar Haveli,
Silvassa

